

## SEVENTY-THIRD DAY.

Senate Chamber,  
Austin, Texas, Tuesday, April 25, 1899.

Senate met pursuant to adjournment.  
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Patterson.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.

Absent.

Lewis. Yantis.

Absent—Excused.

Potter.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Stafford, the same was dispensed with.

## PETITIONS AND MEMORIALS.

By Senator Wayland:

Petition of citizens of Robertson county asking for the passage of Representative Parish's bill prohibiting the working of convicts in coal mines.

By Senator Johnson:

Petition from twenty-two citizens of Kemp and vicinity, asking that the clause in the anti-trust bill (Senate bill No. 323), relating to fire insurance companies be eliminated therefrom.

By Senator Johnson:

Telegram from T. S. Davie and others, of Kerns, Texas, asking him to stand by the democratic platform in opposition to trusts and combines.

By Senator Davidson:

Victoria, Texas, April 21, 1899.

To Senator Davidson, Austin, Texas.

SIR: In common with all good democrats, I heartily commend your anti-trust bill, and hope it will pass. Don't except the insurance companies. They have made millions out of our people. and their rates are too high. The board of trade don't reflect the views of the majority of

our people. We can get all the home fire insurance we want if all foreign companies go out of the State, and I wish every life company was run out of the State. Protests originate with the insurance agents, and not with the people.

Your friend,

A. B. PETICOLAS.

Beeville, Texas, April 24, 1899.

To Senator Davidson, Austin, Texas.

SIR: The insurance men here obeying the instruction of State Agents. Made some fuss about the anti-trust bill. Five or six of the party who signed the telegram to you said they did not understand things when they signed it, and asked me to say so much to you. The people, ten to one, want the bill. Plenty of rain. Whenever I can serve you command me.

Your friend,

LON C. HILL.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 21, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 318, being a bill to be entitled "An Act to empower companies and corporations chartered, or that may hereafter be chartered by the laws of this State, for the purpose of owning, constructing or operating sewer systems, to condemn private property for the purpose of laying pipes, mains, laterals, connections, vats, filtering pipes, and for use of private property, as a base of ultimate disposition of sewage,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,

Austin, Texas, April 25, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 333, being a bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, to acquire, by purchase or lease, the railroad of the Sherman, Shreveport & Southern Railway Company, extending from the city of McKinney, in Collin county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas, in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and

to own, operate and maintain the same as a part of its line, with the right to extend the same, and construct branches therefrom, by amendment of its charter, under the general laws of the State of Texas, and investing said companies, and each of them, with the power to make and execute all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said The Sherman, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, when the said railway, so to be purchased or leased, has been extended from the city of Jefferson to the eastern line of the State of Texas, in the direction of Shreveport, Louisiana, to connect with any railway extending to said city of Shreveport, and to acquire from the owner or owners of such line of railway in the State of Louisiana, by lease, trackage or running rights agreement, the use of such line to the said city of Shreveport; and further, to authorize the said The Sherman, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary terminal facilities in the said city of Shreveport."

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,  
Austin, Texas, April 24, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 284, being a bill to be entitled "An Act to amend Article 1880, Chapter 4, Title XXXIX, Revised Civil Statutes of Texas,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,  
Austin, Texas, April 24, 1899.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 297, being a bill to be entitled "An Act to amend Article 496, Chapter 2, Title XIII, of the Penal Code of Texas,"

And find the same correctly engrossed.

JAMES, Chairman.

## BILLS AND RESOLUTIONS.

By Senator Grinnan:

Senate bill No. 338, A bill to be entitled "An Act to amend Section 201, of the Act of the Twenty-sixth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter.' Said section relates to the creation, selection and powers of a police commission, and is to hereafter read as follows."

Read first time, and referred to Judiciary Committee No. 1.

Call concluded.

## SPECIAL ORDER.

The Chair laid before the Senate as special order, Senate bill No. 323 (anti-trust bill), on second reading.

The bill was read a second time.

By Senator Davidson:

"Amend line 31, page 5, by adding—'Providing that this act shall be in force and take effect from and after the first day of January, A. D. Nineteen Hundred.'"

Pending action, Senator Stafford moved to postpone further consideration of the bill until tomorrow after the consideration of House bills now on the Senate calendar.

Senator Burns moved as a substitute that further consideration of the bill be postponed until Friday next after call.

Senator Stafford accepted the substitute motion, and the same prevailed by the following vote:

Yeas—18.

Atlee.	Linn.
Burns.	McGee.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Ross.
Greer.	Stafford.
Hanger.	Stone.
James.	Turney.
Kerr.	Wayland.

Nays—9.

Davidson.	Morriss.
Grinnan.	Sebastian.
Johnson.	Terrell.
Lloyd.	Yett.
Miller.	

Absent.

Lewis.	Yantis.
Patterson.	

Absent—Excused.

Potter.

## HOUSE MESSAGE.

The following message was received from the House:

Hall of the House of Representatives,  
Austin, Texas, April 25, 1899.

*Hon. Jas. N. Browning, President of the  
Senate.*

I am directed by the House to inform the Senate of the passage of the following bill:

House bill No. 181, "An Act to levy an occupation tax upon the gross earnings or royalty accruing to persons, firms, corporations or associations of persons engaged in the business of leasing or renting, in this State, cotton presses, compresses or gin machinery of any kind, and to require lessees, their agents or managers, to make returns of said gross earnings or royalty to the county tax collector and to prescribe the penalties for failure to do same."

Also that the House has concurred in Senate amendments to House bill No. 785.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

## IN SENATE.

The above reported House bill No. 181, was read first time, and referred to the Committee on Finance.

Action then recurred on Senator Turney's pending motion (see Journal of yesterday), to suspend the regular order of business to take up Senate bill No. 118 (anti-free-pass bill).

The Senate refused to suspend the regular order by the following vote (requiring a two-thirds vote):

## Yeas—16.

Dibrell.	Odell.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
James.	Terrell.
Johnson.	Turney.
McGee.	Wayland.
Miller.	Yett.

## Nays—10.

Atlee.	Kerr.
Burns.	Linn.
Davidson.	Lloyd.
Goss.	Neal.
Hanger.	Ross.

## Absent.

Lewis.	Patterson.
Morriss.	Yantis.

## Absent—Excused.

Potter.

On motion of Senator Yett, the regular

order of business was suspended to take up, on second reading,

Senate bill No. 326, A bill to be entitled "An Act to amend Chapter 92, of the Revised Civil Statutes of the State of Texas, and to repeal Articles 4331, 4332, 4334, 4335 and 4336 thereof."

The bill was read a second time.

By Senator Dibrell:

"Amend the bill in line 17, after the word 'disease' by striking out the 'period,' and inserting in lieu thereof a 'semi-colon.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Yett, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

## Yeas—22.

Atlee.	Linn.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Neal.
Gough.	Odell.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

## Absent.

Goss.	Patterson.
Lewis.	Stone.
Miller.	Terrell.
Morriss.	Yantis.

## Absent—Excused.

Potter.

The bill was read a third time, and pending action on final passage, on motion of Senator Turney, laid on the table subject to call.

On motion of Senator Johnson the regular order of business was suspended to take up, on second reading,

Senate bill No. 266 (a bill for the relief of Mary E. Batchelor).

The bill was read a second time, and ordered engrossed.

(Senator Gough in the chair.)

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

## Yeas—21.

Atlee.	Greer.
Burns.	Grinnan.
Dibrell.	Hanger.
Goss.	James.
Gough.	Johnson.

Kerr.  
Linn.  
Lloyd.  
McGee.  
Neal.  
Odell.

Ross.  
Sebastian.  
Turney.  
Wayland.  
Yett.

Lloyd.  
McGee.  
Miller.  
Neal.  
Odell.  
Patterson.

Ross.  
Sebastian.  
Turney.  
Wayland.  
Yett.

Absent.

Davidson.  
Lewis.  
Miller.  
Morris.  
Patterson.

Stafford.  
Stone.  
Terrell.  
Yantis.

Grinnan.  
Lewis.  
Morris.  
Stafford.

Absent.

Stone.  
Terrell.  
Yantis.

Absent—Excused.

Potter.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Miller.
Dibrell.	Neal.
Goss.	Patterson.
Greer.	Ross.
Hanger.	Sebastian.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.
Linn.	

Nays—1.

Gough.

Absent.

Grinnan.	Stafford.
Lewis.	Stone.
Morris.	Terrell.
Odell.	Yantis.

Absent—Excused.

Potter.

Senator Johnson moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

Senator Yett called up from the table Senate bill No. 326 (see above), and offered the following amendment:

"Amend the caption as follows: Insert in line 6, before the word 'Chapter' the following: 'Article 4340,' and after the word 'Texas' in line 7, the following: 'Relating to quarantine and the payment of expenses of maintaining the same in counties, cities or towns.'"

Adopted.

The bill was then passed by the following vote:

Yeas—23.

Atlee.	Greer.
Burns.	Hanger.
Davidson.	James.
Dibrell.	Johnson.
Goss.	Kerr.
Gough.	Linn.

Potter.

On motion of Senator Hanger the regular order of business was suspended to take up, on second reading.

Senate bill No. 334, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate a railway extending from a point in or near the town of Tyler, in Smith county, to a point in or near the town of Lufkin, in Angelina county, with its franchises and appurtenances, known as the Tyler Southeastern Railway, and to authorize the Tyler Southeastern Railway Company, and the owners thereof, to sell the same, and to authorize the St. Louis Southwestern Railway Company of Texas to assume the payment of the indebtedness of the Tyler Southeastern Railway Company, and to own and operate the property so purchased."

The bill was read a second time, and ordered engrossed.

On motion of Senator Hanger, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—17.

Atlee.	Johnson.
Burns.	Kerr.
Davidson.	Linn.
Dibrell.	Miller.
Goss.	Odell.
Gough.	Ross.
Greer.	Stone.
Hanger.	Wayland.
James.	

Nays—4.

Grinnan.	McGee.
Lloyd.	Yett.

Present—Not voting.

Turney.

Absent.

Lewis.	Sebastian.
Morris.	Stafford.
Neal.	Terrell.
Patterson.	Yantis.

Absent—Excused.

Potter.

The bill was read a third time, and passed by the following vote:

Yeas—17.

Atlee.	Kerr.
Burns.	Linn.
Dibrell.	Miller.
Goss.	Neal.
Gough.	Odell.
Greer.	Ross.
Hanger.	Stone.
James.	Wayland.
Johnson.	

Nays—4.

Grinnan.	Turney.
McGee.	Yett.

Present—Not voting.

Davidson.	Lloyd.
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Absent.

Lewis.	Stafford.
Morriss.	Terrell.
Patterson.	Yantis.
Sebastian.	

Absent—Excused.

Potter.

On motion of Senator Neal, the regular order of business was suspended to take up, on second reading,

Senate bill No. 337, A bill to be entitled "An Act to consolidate Soule University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of Chappell Hill Female College, and to incorporate under the name of Chappell Hill Female College, and defining its powers and duties, and declaring an emergency."

The bill was read a second time, and ordered engrossed.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—22.

Atlee.	Kerr.
Burns.	Linn.
Davidson.	Lloyd.
Dibrell.	Miller.
Goss.	Neal.
Gough.	Odell.
Greer.	Ross.
Grinnan.	Stafford.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yett.

Absent.

Lewis.	Patterson.
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Absent—Excused.

Potter.

The bill was read a third time, and passed by the following vote:

Yeas—24.

Atlee.	Linn.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Goss.	Morriss.
Gough.	Neal.
Greer.	Odell.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Lewis.	Stone.
Patterson.	Yantis.

Absent—Excused.

Potter.

#### MOTION TO RECONSIDER.

Senator Greer entered a motion to reconsider the vote by which the Free Conference Committee report on Senate bill No. 144 (Texas & New Orleans Railway consolidation bill—see Journal of yesterday) was adopted.

The Chair laid before the Senate, on third reading,

Senate Joint Resolution No. 5, amending Article 6, Section 2, of the Constitution of the State of Texas, requiring all persons subject to a poll tax to produce their poll tax receipts at any election at which they offer to vote, and fixing the time of payment of said tax.

The resolution was read third time, and

On motion of Senator Davidson, laid on the table subject to call.

The Chair laid before the Senate, on third reading,

Substitute Senate bill No. 84, A bill to be entitled "An Act to amend an act entitled 'An Act to amend Article 838, Chapter 6, Title XVII, of the Penal Code of the State of Texas, defining the crime of burglary, same being Chapter 62, page 65, General Laws of Texas, adopted at the Regular Session of the Twenty-fifth Legislature, 1897, defining the offense of burglary.'"

The bill was read a third time, and passed.

The Chair laid before the Senate, on third reading,

Senate bill No. 182, A bill to be entitled "An Act to require the city councils or boards of aldermen in each village, town or city in this State that may hereafter be granted a special charter by Act of the Legislature to submit such special charter

to the qualified voters of such village, town or city for their approval or rejection at an election to be held for that purpose, and providing that such special charter shall be ratified at such election by a majority of the qualified voters participating or voting at such election before such charter can go into effect."

The bill was read a third time, and passed by the following vote:

## Yeas—14.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Odell.
Gough.	Ross.
Johnson.	Stafford.
Kerr.	Stone.
Linn.	Yett.

## Nays—7.

Dibrell.	Hanger.
Goss.	James.
Greer.	Morriss.
Grinnan.	

## Present—Not voting.

Miller.	Sebastian.
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## Absent.

Lewis.	Turney.
Neal.	Wayland.
Patterson.	Yantis.
Terrell.	

## Absent—Excused.

Potter.

Senator Odell moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried by the following vote:

## Yeas—13.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Odell.
Gough.	Ross.
Johnson.	Stafford.
Kerr.	Stone.
Linn.	

## Nays—8.

Dibrell.	Hanger.
Goss.	James.
Greer.	Sebastian.
Grinnan.	Yett.

## Present—Not voting.

Miller.

## Absent.

Lewis.	Terrell.
Morriss.	Turney.
Neal.	Wayland.
Patterson.	Yantis.

## Absent—Excused.

Potter.

"I vote 'no' on Senate bill No. 182 because I do not believe the bill constitutional, and under Section 3, Article 4, of the Constitution, it is doubtful who would be qualified voters under said bill.

"GRINNAN."

(Lieutenant-Governor Browning in the chair.)

The Chair laid before the Senate, on third reading,

Senate bill No. 197, A bill to be entitled "An Act to appropriate \$15,000 (fifteen thousand dollars) to build and maintain an orphans' home for colored children at Corsicana, Texas, and for the purchase of one hundred acres of land; to provide for the appointment of a board of managers, superintendent and matron for said home, and to define their duties."

The bill was read a third time, and,

On motion of Senator Johnson, postponed until Tuesday, next.

Senator Miller moved that the Senate take a recess until 3 p. m. today.

Senator Wayland moved that the Senate adjourn until 10 a. m. tomorrow.

The Senate adjourned until 10 a. m. tomorrow.

## SEVENTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas, Wednesday, April 26, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Greer.	Odell.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yett.

## Absent.

Goss.	Patterson.
Gough.	Terrell.
Lewis.	Yantis.

## Absent—Excused.

Potter.

Prayer by the Chaplain, Rev. Dr. Denson.

Pending the reading of the Journal of yesterday,